

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**MASSACHUSETTS INSTITUTE OF
TECHNOLOGY**

Plaintiff,

v.

**HARMAN INTERNATIONAL INDUSTRIES,
INCORPORATED,**

Defendant.

Civil Action No. 05-10990-DPW

**STIPULATION BETWEEN MIT AND HARMAN REGARDING
DISMISSAL OF CLAIMS 2-41, 43-44, 46-58 OF THE '685 PATENT**

Whereas MIT has alleged that a number of Harman products, including Harman's Advanced Audio Navigation System (a.k.a. "M.O.A.R") for Harley-Davidson, infringe a number of claims of United States Patent No. 5,177,685 ("the '685 Patent"); and

Whereas the parties seek to simplify the issues for pre-trial and trial proceedings;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties that in view of the covenants entered below by Massachusetts Institute of Technology ("MIT"), that:

(i) all rights, claims, causes of action and requests for relief, including those alleged in the Complaint and further including any claims which MIT could have brought in this case ("Claims") arising from or relating to any allegations of infringement (whether past, present or future) by Harman International Industries, Incorporated, including its present subsidiaries and affiliates, (collectively, "Harman") of claims 2-41, 43-44, 46-58 of United States Patent No. 5,177,685 ("the '685 Patent"); and

(ii) all Claims against Harman, or its direct or indirect customers, relating to the manufacture, use, import, sale, or offer for sale of the Advanced Audio Navigation System (a.k.a. "M.O.A.R.") for Harley-Davidson, Inc., a Wisconsin corporation, and its subsidiaries and affiliates (collectively "Harley"),

are hereby and forever dismissed with prejudice.

1. MIT, by and through its attorneys (Proskauer Rose LLP), hereby covenants not to assert against Harman, or any direct or indirect customer of Harman, any Claims arising from or relating to any allegations of infringement of claims 2-41, 43-44, 46-58 of the '685 Patent.

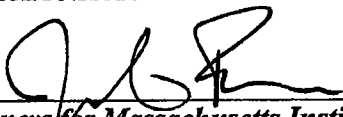
2. MIT, by and through its attorneys (Proskauer Rose LLP), hereby covenants not to assert against Harman, or any direct or indirect customer of Harman, any Claims arising from or relating to any allegations of infringement of claims 2-41, 43-44, 46-58 of the '685 Patent, based on the use, sale, offer for sale, or importation of any product sold, licensed, or otherwise provided to any such customer, directly or indirectly, by Harman.

3. MIT, by and through its attorneys (Proskauer Rose LLP), hereby covenants not to assert against Harman, or any direct or indirect customer of Harman (including Harley), any Claims, arising from or relating to any allegations (including those alleged in the Complaint) of infringement of claims 1 through 58 of the '685 Patent, based on the use, sale, offer for sale, or importation of the Advanced Audio Navigation System (a.k.a. "M.O.A.R.") (as that system exists as of the date of this agreement and was disclosed to MIT) or any substantially equivalent version(s), iteration(s), release(s); modification(s), or extension(s) thereof, which is manufactured, used, sold, offered for sale, licensed, or otherwise provided to Harley, directly or indirectly, by Harman, for use on motorcycles.

This stipulation is entered to simplify the case, and is not an admission of, and should not be used as evidence of (or to suggest that), MIT believes that any of the dismissed claims are not valid or not infringed, or that the M.O.A.R. product does not infringe any claim of the patent. Each party shall bear its own costs, expenses and legal fees relating to the dismissals stipulated hereto.

Dated: April 11, 2007


PROSKAUER ROSE LLP



*Attorneys for Massachusetts Institute of
Technology*

Dated: April 10, 2007

KIRKLAND & ELLIS LLP



*Attorneys for Harman International
Industries, Incorporated*

Dated: _____

Magistrate Judge Judith G. Dein

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on April 11, 2007.

/s/ Courtney A. Clark
Courtney A. Clark